

Art Unit 2151  
Serial No. 09/918,657

Reply to Office Action of: 03/28/2005  
Attorney Docket No.: K35A0874

### REMARKS

The Applicants thank the Examiner for his careful and thoughtful examination of the present application. By way of summary, Claims 1, 2, 7-9, 14-17, 22-25, 30-32, 37-40 and 45-49 were pending in this application. In this response, the Applicants have amended pending Claims 1, 7, 8, 14, 16, 22-24, 30, 31, 37, 39 and 45-49, and added new Claims 50-52. Accordingly, Claims 1, 2, 7-9, 14-17, 22-25, 30-32, 37-40 and 45-52 remain pending for consideration.

#### Claim Amendments

Claim amendments have been made to pending Claims 1, 7, 8, 14, 16, 22-24, 30, 31, 37, 39 and 45-49 to clarify the features of the claimed inventions. The Applicants have also amended dependent, withdrawn Claims 4, 5, 11, 12, 19-21, 27, 28, 34, 35, 42 and 43 to clarify the claim language. These amendments have not been made for the purposes of patentability.

#### Rejection Under 35 U.S.C. 102(b)

The Examiner rejected Claims 1, 2, 7-9, 14-17, 22-25, 30-32, 37-40 and 45-49 as being anticipated by U.S. Patent No. 5,892,535 (Allen *et al.*). The Applicants respectfully traverse this rejection because the Allen reference fails to teach every step and limitation of the pending claims.

The Applicants respectfully submit that the claims as previously pending are patentably distinguished over the Allen patent. The independent claims, however, have been amended without altering their scope in order to clarify the recited features. These claim amendments are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. As amended, independent Claims 1, 8, 16, 24, 31, 39 and 47-49 recite "wherein at least one of the first and second communication channels is selected from a group consisting of a cellular provider network and a short-range wireless access point."

In contrast, none of the devices disclosed in the Allen reference utilizes a communication channel selected from a group consisting of a cellular provider network

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and a short-range wireless access point. The Allen reference does not teach nor suggest the use of such a communication channel.

For at least these reasons, Applicants respectfully submit that every pending independent claim incorporates at least one limitation that is not taught or suggested by the prior art, and request that the rejections be withdrawn.

Dependent claims 2, 7, 9, 14-15, 17, 22-23, 25, 30, 32, 37-38, 40 and 45-46 are dependent upon allowable independent claims and are therefore patentable for at least the same reasons given above.

#### New Claims

New Claims 50-52 have been added and are believed to be fully distinguished over the prior art of record for at least the reasons given above with respect to Claim 1.

#### Conclusion

The Applicants have endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In view of the above remarks, the Applicants submit that the application is in condition for allowance and respectfully request the same. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is invited to initiate the same with the undersigned.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

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